

allowable subject matter is found.

Claims remaining in this application are, Claims 1, 2, 4, 6, and 7 with new dependent Claims 9, and 10, along with independent Claim 11. Claims 3, 5, 5 and 8 have been canceled. With the exception of Claim 2, reproduced for convenience in this amendment and those canceled, all the original claims have been amended.

Claim 1 has been amended extensively, and now claims a system of a specific liner along with novel  
10 attaching means that mounts it in a manner that the resilient inserts will compress and expand under loading. This combination is not shown in the prior art.

The Houston reference deals with attaching nylon liners with 'huck bolts,' which literally crushed  
15 the nylon before he developed the protective washer 42 to limit the loading on the nylon. Use of huck bolts was a continuation of the prior practices of bolting metal liners on the pedestal jaws as tightly as possible. Bigger bolts and tighter bolts, were sought with metal  
20 liners because any movement on the metal liner would wear the pedestal jaw. Houston's teaching of protecting the nylon is still well accepted in this art, see insert 45 in Kelykamp '404 reference and plugs 14 and 15 in the Cummings '777 reference. In the past it was generally  
25 thought desirable to mount thermoplastic liners on the trucks in a manner to limit their movement as much as

possible. One patentee tried to use a floating pedestal liner, see U. S. Patent No. 4,094,253 issued to Gage, which had problems in the field not experienced with applicant's invention.

5               Houston, the applicant here, has found an improved solution to prior practices by developing a system of a nylon liner with resilient inserts along each side and a special attaching system which allows the liner 'not to float' but rather to shift against the  
10 resilient resistance of the inserts during service. The key is the combination of his attaching means, with controlled torque, along with the inserts of a higher resiliency than the base unit that will accommodate the slight shifting necessary for the improved service life  
15 of the liner.

Materials of higher resiliency than nylon are usually not strong enough to be used in the base unit. Restated the result is a system which performs well because it controls the torque on the attaching means for  
20 the liner in a manner that allows the liner to "move" against the resilience of the inserts when assembled on the pedestal jaw, as distinguished from spacer systems designed to avoid crushing the nylon liner while mounting it as tightly on the jaw, as shown in applicant's U.S.  
25 Patent No. 4,170,180.

Since Claim 1 is extensively amended, and

includes limitations that are neither suggested nor taught by the prior art, it is suggested this claim is now allowable. For example the Cummings '777 reference teaches the use of inserts as spacers so he can use the  
5 "plugs" 14 and 15 to better mount the liner on the pedestal jaw in a tight fitting relationship. He does not teach the use of inserts of a higher resiliency that the liner itself are capable of compressing and expanding in service. In fact this reference teaches away from  
10 applicant's inventions. Again the fact applicant's own prior art patent teaches the resilient inserts can be used, it does not teach the structure as now defined in Claim 1 and its mounting system, how to mount the liner as tightly as possible without damaging the nylon, does  
15 not lead to a teaching allowing the liner to move against resilient inserts as opposed to float.

In view of the analysis above, along with the discussions, applicant respectfully requests the examiner reconsider claims 1, 2, 4, 6 as amended and new claim 11.  
20

Claim 7 has been amended to define an attaching means wherein both ends thereof have a 'cap' with inner and outer wrench surfaces, a feature not shown in the prior art. The problem addressed by this novel attaching  
25 means, is that road mechanics in the railroad industry may install its shaft from the inside out or the outside

in on the pedestal, whereby the removable cap sometime is not accessible to torque the unit. By having the break off feature on both caps, it makes no difference on how the mechanic installs the novel attaching means as it can still be torqued to the proper level. Next by having the break off feature on both ends of the unit, more uniform torques can be achieved, as either one can break at the required torque.

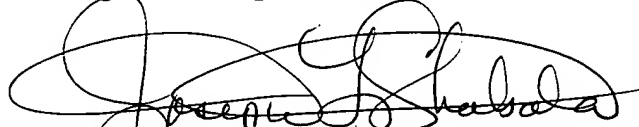
While metal bolt structures with a break off feature on the head end, like shown in the Cole reference the French reference '954 and the German reference '739, are known, none show the dual ended break off feature of the applicant. Further, applicant's structure uses a reinforced nylon cap which is defined in Claim 10--not a metal cap, or integral part of the shaft, as shown in the foregoing references. No prior art, known to applicant, teaches such nylon could be used in this manner, and in fact, it was difficult to accomplish the result applicant achieved (See Specification page 17, lines 8-11).

Further it is pointed out in the specification that the large radial flange 60 is desired to give the unit a sufficient surface grip a pedestal liner (Specification page 18, lines 12 et seq.), as defined in Claim 10, which allows the liner to have restricted movement.

Given the above comments, it is respectfully requested that the Examiner reconsider the rejection of claim 7, as amended, and favorably consider new claims 9 and 10 which depend thereon.

5

Respectfully Submitted,



Joseph L. Strabala  
(Reg. No. 22,464)

One Market, Suite 4100  
Spear Street Tower  
San Francisco, California 94105

10

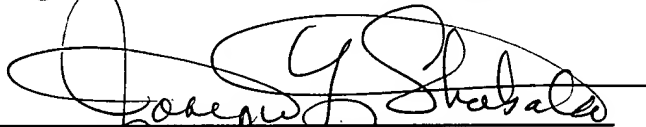
JLStrabala:pm  
(415) 981-8083

15

• • • • •  
CERTIFICATE OF MAILING

I certify that I am the attorney for the applicant herein and that I mailed the "First Request For Extension of Time" to the Commissioner of Patents and Trademarks, Box Non Fee Amendment, Washington, DC 20231, on this 26th day of October 1995 by Express Mail.

20

  
\_\_\_\_\_  
JOSEPH L. STRABALA

Houstamd.10a

25

Title: Pedestal Liner System  
For Locomotives

**Docket #: 650.6**

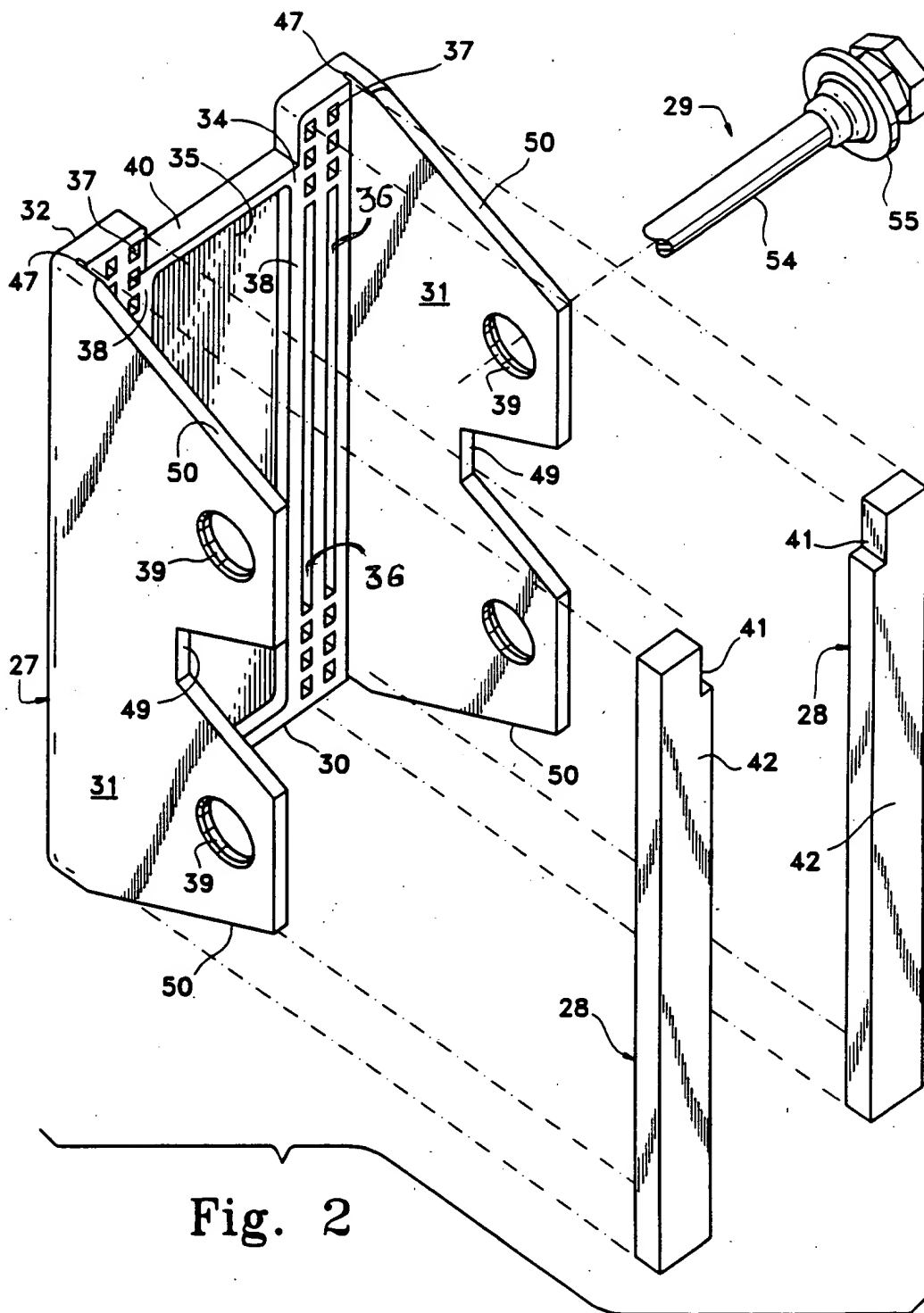


Fig. 2

AMENDED